



## **Checklist of Recommended Legislation to Remedy Connecticut's Biggest Environmental Deficiencies**

February 2010

The Council on Environmental Quality reports the status of Connecticut's air, water, land and life every year in *Environmental Quality in Connecticut* (please see [www.ct.gov/ceq/AnnualReport](http://www.ct.gov/ceq/AnnualReport) for the report released in April 2009). The Council also is required by CGS Section 22a-12 to recommend legislation "for remedying the deficiencies of existing programs and activities." On the following page, the Council highlights the biggest such deficiencies and provides a checklist of recommended remedies. Additional information is always available by [contacting the Council](#).





## STATE OF CONNECTICUT COUNCIL ON ENVIRONMENTAL QUALITY

### Checklist of Recommended Legislation to Remedy Connecticut's Biggest Environmental Deficiencies

Below, the Council highlights important areas where the state is not on track to meet established goals. Two of the highest priorities are not included: Encouraging responsible development and the more efficient use of energy in all its forms. Those two efforts must span all government programs and are the subject of detailed reports from other agencies. The recommendations below are aimed at very specific gaps in state environmental policy and performance. (*Order does not indicate priority.*)

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#### STATUS OF MAJOR RESOURCES (Arrows show percentage of goal achieved as of 2009)

##### CLEAN RIVERS, A SOUND ALIVE

60%

Area of the Sound with low oxygen in summer has been expanding since 2004.

Most rivers do not fully meet water quality targets, and progress is slow.

##### FARMLAND

27%

Preservation doubled in 2009 (about 1400 acres) over 2008, and is expected to increase again in 2010.

In 2009, a tower company proposed a cell tower on preserved farmland, arguing that it was permitted by statute.

##### FORESTS, FIELDS AND PARKS

75 to 85%\*

\*Accurate data unavailable

State acquisition has slowed greatly; some towns have been acquiring land without state assistance, but acreage is unknown.

There is no complete inventory of preserved lands.

Previous estimates of municipal and non-profit-owned preserved land have been off by tens of thousands of acres.

New tools exist for assessing natural resources to guide purchases and no-cost acquisitions (such as gifts, developer set-asides, corporate tax credits, etc.); these should be employed fully by the state.

##### GARBAGE EXPORTS AND RECYCLING

50%

Connecticut under-recycles and is not on track to meet waste management goals.

Residents pay tens of millions of dollars each year to have garbage hauled to landfills in other states, and pay millions in additional fees to those states; thousands of trucks add to road congestion and produce hundreds of tons of diesel exhaust.

##### WETLANDS

Many municipal wetlands agencies do not comply with statutory requirements for training and for reporting. Lack of training results in more wetlands lost. (See statistical analysis in Special Report *Swamped*.)

##### TREES

Individual trees on private property are valued as wood, not their true value to the landowner, and their illegal destruction results in such a minor criminal charge that crimes are not prosecuted and compensation is not collected.

#### RECOMMENDATIONS

☐ Provide steady capital for Clean Water Fund for municipal grants and loans. Average annual need for state GO bonding is estimated to be \$130 million.

☐ Enable the Dept. of Agriculture and partners to preserve 2,500 acres per year. Annual need for state programs is estimated to be \$12 million plus revenue from Community Investment Account.

☐ Repeal the 2003 law (codified as CGS Sec. 16-50p(a)(3)(G)) that has been used by companies to propose cell towers on preserved farmland.

☐ Fund highest-priority state acquisitions, plus a share of municipal and nonprofit purchases, to achieve total land preservation of 11,000 acres per year. Annual need for state share is estimated to be \$20 million plus revenue from Community Investment Account.

☐ Improve Strategy: Enable the DEP to plan open space acquisition based on accurate natural resource and open space inventory data.

☐ Enable the DEP to assess and coordinate lands preserved through all methods including gifts, developer set-asides, corporate tax credits, etc.

☐ Create a voluntary preserved-land reporting system.

☐ Adopt recommendations of Program Review and Investigations Committee aimed at improving waste reduction and recycling.

☐ Collect fee on waste leaving state (already charged on waste disposed of in-state), with revenue going to municipalities to boost recycling. (Projected to yield a net financial benefit.)

☐ Training: Require each wetlands agency to state at hearings and on monthly reports that it is (or is not) in compliance with training requirements. Encourage more training.

☐ Reporting: Require and enable the DEP to establish an electronic reporting system to make it easier and cheaper for municipalities to file reports.

☐ In civil court, allow victims of illegal tree cutting to recover costs of replanting and restoration – extending the remedies made available to public landowners under P.A. 06-89 to all landowners.